



Deval L. Patrick  
Governor

Andrea J. Cabral  
Secretary

*The Commonwealth of Massachusetts*  
*Department of Public Safety*  
*Architectural Access Board*  
*One Ashburton Place, Room 1310*  
*Boston, Massachusetts 02108-1618*  
*Phone 617-727-0660*  
*Fax 617-727-0665*

Thomas G. Gatzunis, P.E.  
Commissioner

Thomas P. Hopkins  
Director

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**Board Meeting – July 1, 2013**

**21<sup>st</sup> Floor – Conference Room 1**

**Present Board Members:**

- Walter White, Executive Office of Public Safety Designee, Chair (WW)
- Myra Berloff, Massachusetts Office on Disability (MB)
- Raymond Glazier, Executive Office on Elder Affairs Designee (RG)
- Mark Trivett, Member (MT)

and

- Thomas Hopkins, Executive Director (TH)
- Kate Sutton, Program Coordinator/Clerk for Proceedings (KS)

**Members Not Present:**

- Diane McLeod, Vice Chair (DM)
- Andrew Bedar, Member (AB)
- Carol Steinberg, Member (CS)
- Gerald LeBlanc, Member (GL)

- Meeting began at 9:00 a.m.

1) **Discussion:** Fairway Oaks, Westchester Dr., Haverhill (C08-115 & V09-077)

TH - EXHIBIT – letter from Nels Palm

- \$2,500 fine paid to the commonwealth for the fines assessed

RG - closed, send letter to complainant

MB - second – carries

2) Incoming: 76 Main St., Nantucket (V13-196) (no recording, operator error)

TH - EXHIBIT – variance application

- two buildings on the lot, plus garage
- both spent over \$100,000 but under 30%
- over \$400,000 work with no permits, so stop work order issued by building department
- want to use the guest house this season as is
- contractors who started the job have been fired and new contractors have been hired
- guest house, then another guest house behind that with 4 units in it
- main guest house will have accessible entrance with lift at the rear
- accessible toilet room at the main floor of the guest house
- owner is also offering a Group 2B guest room in the L building

MB - when will that room be available?

TH - by 2/14/14

*MB - accept as proposed, and allow them to operate this season on a temporary, with verification of compliance with the proposed work by 3/1/14; noncompliance with the order of the Board will result with the revocation of the temporary CO*

*RG - second*

TH - commission is in favor of the time variance, the variance is for the path of travel to the building

MB - don't want to vote without knowing path of travel

TH - show pictures of the alternate path of travel

*MB - modify motion to accept the alternate path of travel, on the condition that the bricks are maintained as a level and continuous surface without changes in level*

TH - read policy of the Inn into the record, regarding accommodations for guest and notice on the website of the availability of an accessible room

MB - 20% slope seems pretty extreme

MT - they probably mean 1:20

*MB- waive two week waiting period since all parties have been notified*

*MT- second – carries*

*MB- does RG accept the change to the motion about the maintenance of the bricks*

*RG- yes*

*WW - motion carries*

MB - let the owner know to include a hotel go kit for people that are hearing impaired

*MB- require that they provide and advertise that they have to provide a hotel hearing impaired guest kit*

*RG - second - carries*

3) Incoming: Rose Elementary School Safe Routes, Burrows Road and Elm St., Braintree (V13-172)

TH - EXHIBIT – variance application

- seeking variance to 21.2.1.1a, apex is 25 feet instead of 30 allowed for the installation of apex

MB - concern with radiuses

TH - that is the existing condition

MB - both say existing

TH - they don't want to push the curb cuts back

MB - can they take the curb cut and rotate it a bit

TH - as long as the cross slope falls within the cross walk

MB - would like to see the curb cuts rotated a bit

*RG - grant as proposed*

*MT - second – carries with MB opposed*

4) Incoming: Harris and Dolbeare School, Safe Roads Projects, Lowell street and Vernon Street, Wakefield (V13-173)

TH - EXHIBIT – variance application

- proposed apex curb cuts

- 21.2.1.1a, b, d, don't meet these allowances, but seeking to use apex curb cuts as drawn in the submitted plans

*MB - grant as proposed, on the condition that truncated domes are completed*

*RG - second - carries*

5) Discussion: Temple Sinai, JCC Children's Center, 25 Canton St., Sharon (V08-054 & V09-066)

TH - EXHIBIT – submittal from synagogue and lawyer for the Petitioners

- walked in a letter on 6/28/13 that the elevator is completed, submitted the certificate of inspection for elevator

*MB - accept the submittal as proof of compliance and close the case*

*MT - second - carries*

6) Incoming: St. Mary's Syrian Orthodox Church, 1 Industrial Drive, Shrewsbury (V13-164)

TH - EXHIBIT – variance application

- adding an addition of 4,000 sf, and proposing mezzanine of 492 sf
- addition to one story church building
- mezzanine will contain storage, a choir and an organist
- during the project the existing building will be made accessible
- spending over 30%
- seeking a variance for the lack of vertical access to the new mezzanine

- **Gerald LeBlanc, Member (GL) – Now Present** -

MB - choir loft isn't accessible, this is new construction, not existing  
 TH - first floor accommodations proposed

MB - not different than a press box and how small they are  
 TH - singular use at press box, a little different, camera would not work on the field, the purpose of the press box is to get the height and angle for the camera

- granted variances for existing choir lofts before
- organist area and storage are employee only spaces

MB - have a problem with the fact that this is new construction and this is where the choir is going to be located

*MB - deny*

*RG - second – carries with MT opposed and GL abstaining*

7) Incoming Discussion: Storefront at 415 Essex St., Lynn (V13-109)

TH - EXHIBIT – new submittal, present originally on June 17, 2013

- step inside, allowed ramp at 1:10 for straight in ramp
- new proposal for ramp with a turn

*MB - grant as proposed*

*GL - second - carries*

8) Incoming: Ward Hill Church of Christ, 630 L St., Bradford (V13-171)

TH - EXHIBIT – variance application

- seeking casket lift to use as access for the building

*MB - deny*

*MT - second - carries*

9) Discussion: Parkhurst School, 40 Samoset Rd., Winchester (C13-004 & V13-084)

TH - EXHIBIT – submittal of plans showing the inaccessible spaces, which are employee only spaces, and the areas open to the public; and affidavit

*MT* - accept the affidavit and plans, on the condition that recorded and copy sent back to us  
*GL* - Second – carries

10) Incoming: Tadpole Children’s Boutique, 58-60 Clarendon St., Boston (V13-182)

TH - EXHIBIT – variance application  
- renovation to two story building, no access provided into the building  
- using a temporary ramp

MB - no change in use  
TH - change of use is at the basement

TH - seeking variance for vertical access to the basement  
- the business is opening and functioning  
- need to find out what happened, very large packet submitted for this case

MB - what are they seeking relief based on, not the fact that it is all done...need to prove one of the two arguments of “impracticability”

*MB* - deny  
*MT* - second – carries

11) Incoming: Cape Cod Baseball League, DY Red Sox Press Box, Yarmouth (V13-177)

TH - EXHIBIT – variance application  
- needed temporary CO right away, operate until August 15, 2013, allowed temporary CO  
- now seeking a 24 month time variance  
- order was to open for this season but not for next season until access provided

*MB* - deny  
*GL* - second – carries

12) Incoming: Press Box at High School, Dennis-Yarmouth, Yarmouth (V10-151)

TH - EXHIBIT – letter from the school district with schematics for the lift  
- lift is 36”x54” with a side exit  
- been advising people that lift should be 42” x 60” for side exit lift

*MB* - require that lift is enlarged to 42” x 60”, or modify to straight on straight off  
*GL* - second – carries

13) Incoming Discussion: Mixed Use Building, 7 Summer St., Manchester (V13-160)

TH - EXHIBIT – follow-up submittal to previous denial  
- seeking another review of the case before the hearing

- second floor tenants are Interior Residential Design, and the second is mobile broadcast company, can meet at first floor conference room space
- both second floor tenants have agreed to be available to meet with clients at the first floor conference room; language about the availability of the conference room is in the lease

MB - what happens when these tenants leave?

TH - could be for this tenant only

*MB - withdraw previous denial based on the new information submitted*

*GL - second - carries*

*MB - grant the variance for the lack of vertical access to the second floor, based on the proposal provided, based on the fact that the tenants at the second floor will not be selling any sort of physical product; however, should the tenants change to someone that sells physical product then vertical access required; for these tenants only, required to be registered with the registry of deeds*

*RG - second - carries*

14) Incoming: Cochituate Home Corporation, 12-A Interfaith Terrace, Framingham (V13-178)

TH - EXHIBIT – variance application

- housing project, constructed in 1972-3

- spending over 30% with renovation

- seeking variance for 9.4, propose to provide less than 5% than required; 8 are required, they are proposing to provide 3

- received letter from Disability Commission of Framingham requesting denial of the variance

*MB - deny*

*MT - second – carries*

15) Incoming: Cape Cod and Islands Association of Realtors, 22 Midtech Dr., West Yarmouth (V13-166)

TH - EXHIBIT – variance application

- came before the Board awhile ago, and said that basement was not open to the public

- 10,000 sf building

- now want to create a training rooms and library at the basement level

- proposing no vertical access, will accommodate at upper floor

*MB - deny*

*MT - second – carries*

*MB - Board Staff site visit*

*GL - second – carries*

16) Incoming: Bistro 5 Restaurant, 471 High St., Medford (V13-174)

- TH - EXHIBIT – variance application
- spending over 30% of the value of the space that the restaurant is in
  - toilet rooms need variances
  - seeking a variance to 25.1
  - rear entrance route proposed
  - tenant space occupies 2,000 sf of the building; value of the space is \$110,468.80, therefore 30% is \$33,140.64; spending \$90,000.00

GL - deny

MT - second – carries

MT - require meet with Board Staff

RG - second - carries

17) Incoming: Sidewalk widths, 100 feet to the east of Pearl St. on Valentine St., Cambridge (V13-167)

- TH - EXHIBIT – variance application
- less than 36” of width at the tree and the boundary of the property; 27” provided
  - propose route at the alternate side of sidewalk

- MB - could they take a portion of the private property to get that extra 6 inches?

MT - grant as proposed

MB - second – carries with MB opposed

- **Diane McLeod, Vice Chair (DM) – Now Present -**

18) Incoming: Mixed Use Building, 845-855 Washington St., Newton (V13-185)

- TH - EXHIBIT – variance application
- spent \$17,300 to join the two tenant spaces of her building
  - steps between the two spaces
  - gift shop at one side of the stairs, the other side is show room and lingerie shop
  - accessible toilet room at one level
  - showed a ramp in the cross-hatched area, showing that it would block other doors
  - lift would cost \$35,244
  - doors from the street into both area of the space

MB - grant

MT - second – carries with RG opposed

19) Incoming Discussion: Proprietors Restaurant, 9 India St., Nantucket (V13-175)

TH - at last meeting, allowed them to open under temporary CO, with the condition that they are going to install the lift  
- EXHIBIT- variance application  
- seeking variance for street side entrance  
- lift will be inside the building

*MB - grant on the condition that compliant handrails provided*

*MT - second – carries*

TH - second floor, seeking relief for the second floor toilet room  
- waiting room next to existing second floor toilet room  
- commission from Nantucket wrote to the Board and not in favor of variance

*MT - deny*

*MB - second – carries*

TH - commission supports variance to leave the handrails as is for the existing interior handrails, based on the installation of the lift  
- interior handrail has ballast with newel posts

*MB - grant relief for the existing interior handrail, on the condition compliant wall side handrail installed*

*MT - second – carries*

20) Discussion: Former Church converted to a Mosque, 500 Revere Street, Revere

TH - EXHIBIT – letter from Petitioners  
- they are spending over 30%  
- KS started the consultations with this, but then met with me  
- owner's analysis stated that they are not over 30% of the assessed value, but the assessed value included building and land  
- received call from consultant to amend spending notice  
- they agree to give variance by July 12, 2013, which will be heard on July 29<sup>th</sup>  
- want a temporary CO to use the mosque since the work is done  
- large raised floor area that was shortened with no access; and mezzanine area with no access

MB - access into the building is provided?

TH - yes, but need to review the entire building since spent over 30%

*MB - grant temporary CO for the entire building to expire on August 15, 2103; submit full analysis of interior of building with 521 CMR, to submit plan for compliance or variance by July 12, 2013*

*RG - second - carries*



*No WW, DM as Chair*

21) Incoming: Boyden Library, 10 Bird St., Foxboro (V13-183)

- TH - EXHIBIT – variance application
- renovation reconstruction and addition; spent over 30%
  - addition added, over the existing parking, creating underground parking area
  - due to existing underground issues
  - variance for 23.4.7, only 7 feet provided within the garage
  - only required to provide 1 space, but they show two standard spaces in one plan, but then they show van accessible
  - didn't say that parking underneath is for employees only

MB - need more information

*MB - deny*

*GL - second – carries*

*WW now present as Chair*

22) Incoming: Randy's Automotive, 26 Spring St., Medfield (V13-165)

- TH - EXHIBIT – variance application
- gas station with bays at the first floor, second floor is employee only
  - slope at sidewalk is 8.7% instead of 8.3%, sloped down sidewalk

*MT - grant*

*GL - second – carries*

23) Incoming: Southwick Florist, 636 College Highway, Southwick (C09-077 & V13-163)

- TH - EXHIBIT – variance application
- one floor retail flower shop, 2,568 sf
  - reconstruction project in 1992, added an addition spending \$25,000, should have included accessible entrance at that time
  - complaint filed in 2009 about lack of access
  - applied for variance to not provide a ramp or vertical wheelchair lift

*MB - deny*

*DM - second - carries*

24) Incoming: Dennison Gate House, 7 Dennison Park Dr., Williamstown (V13-180)

- TH - EXHIBIT – variance application
- gate house, converted from residence to commercial use

- renovated to one chair barber shop
- spending over 30%
- seeking variance for the lack of access to the second floor
- first floor will be accessible
- cost of vertical wheelchair lift is \$115,000

MB - if one-chair barber shop, what is going on at the second floor?

TH - wants to use the space as a swing space until permanent buildings are designated  
 - the end plan is to demolish the building  
 - accessible bathroom at the first floor  
 - roof line is slanted at second floor and some small office spaces are provided  
 - Chamber of Commerce has been tenant for many years and they propose to remain  
 - demolition is planned

*MB - continue for more information regarding the usage of the second floors and the timeline for demolition*

*DM - second – carries*

## 25) Incoming Discussion: Restaurant, 11 Beacon St., Boston (V13-024)

TH - in April, allowed temporary CO for the first level of the new restaurant; proposed incline lift to the second level of the building; no full CO until lift is installed  
 - sought variance from Elevator Board (which was not required) for the dimensions and height of the lift, and were granted one on June 25<sup>th</sup>.  
 - they have received the permit for the installation of the incline lift  
 - owner seeking full CO by 6/30/13, due to language in the lease with the building owner  
 - requesting AAB to speak with Brian Moxley of the Boston ISD to issue full CO  
 - if full CO not received then owner will lose in excess of \$300,000  
 - Commission on Disability was against this variance at the beginning  
 - should have called the AAB, and the variance never should have gone forward with the Elevator Board

MB - if we give permanent CO, then no authority to pull it back

*DM - stand by original motion, and no permanent CO until lift installed*

*MB - second – carries*

## 26) Hearing: Parish of All Saints, 209 Ashmont St., Dorchester (V13-081)

WW - called to order at 11:00 a.m.  
 - introduce the Board

Clay Palazzo, John G. Waite Associates Architects (CP)

Father Michael Godderz, All Saints Ashmont (MG)

Matthew Scheidt, John G. Waite Associates Architects (MS)  
Andrew St. John, Smith St. John, Owners Representative (ASJ)  
Bruce McLay, All Saints Ashmont (BM)  
Robert Carasitti, Hughes Associates, Consultant (RC)

WW - MS, ASJ, RC, MG and CP sworn in  
- EXHIBIT 1 – AAB1-50

TH - received letter today from Hang Lee of Boston Multicultural Independent Living Center  
- read the July 1, 2013 letter into the file  
- letter of support for the variance application

CP - complex is historic and is designed by Ralph Adams Graham  
- firm worked on the building for almost 40 years, thru 1929  
- AAB35 shows the complex  
- seeking to make five primary levels accessible, 15 other levels: of those, 8 are employee-only, and variances for the other 7  
- adding two primary accessible entrances, one at the North Tower and into the Parish House  
- new addition at the Parish House will house new stair and the elevator  
- AAB36, color coded the impact of the changes, green is new construction that will provide access  
- green hatched areas are existing areas that will be made accessible  
- blue areas are not open to the public  
- yellow areas are inaccessible areas which variances are sought for  
- green arrows show the accessible entrances, orange arrows are inaccessible entrances  
- basement level has gym which is not accessible  
- AAB37, same legend, first floor  
- AAB38, same legend, organ loft is only accessed by church employees; meeting room, platform, and mezzanine not accessible at second floor

MS - AAB40, gymnasium variances  
- originally built a half level down from the lowest basement level  
- no way to get the main elevator to work; only thing at this level is the small gymnasium  
- ramp is also difficult to create within the space  
- upper right of AAB40 is proposed with accessible space upgrades  
- gym is not generally used, except by the boys' choir before and after choir practice in the church

WW - cost of lift is \$99,000.00

MB - what about wheelchair user being part of choir

MG - not all the boys use the gym before or after  
- very large expense for a slight gain

MB - there is exclusion if there is no access to the gym

- benefit is that you do get there, or don't get there
- where is the alternate if you don't use this space

MS - no organized events there, it's just available space

CP - there had been a school in the Parish House, so this is a space that was left over since the school is no longer operating

MB - but the kids use the space, because it's there

MS - would be difficult to get to, even if exterior lift installed, since the lift would be exterior

CP - one of the things that was difficult was getting the elevator access as many levels as possible  
 - they have been studying this problem with the multiple levels for years  
 - the only way to make the elevator work is to have a three door elevator

RG - study of a stair lift, incline platform lift

MS - 46 inch wide stairs

WW - that would not work

RC - egress was noncompliant, so had to be redone with 36" wide steps  
 - also advised them against incline lift, since the Board prefers vertical lift instead

DM - price of lift includes just the lift?

MS - and the construction of the space to house the lift

MB - hold off to see what the rest of the variances are

MS - AAB41, small chapel off to the side off of the main church  
 - center of this area is 185 sf for the baptismal font  
 - small space, hard to provide a ramp large enough to get down to the space; technically infeasible  
 - alternate compliance is the portable baptismal font, to be used in the main portion of the church

*MB - grant relief for the lack of access to the baptismal font; on the condition that policy for the use of the alternate baptismal font, submitted by July 12, 2013*

MG - already used at the church to meet the needs of parishioners

*MT - second – carries*

*MB - expedite*

*RG - second – carries*

- MS - AAB42, front part of the church, choir and the altar
- yellow areas is not accessible, with several risers and steps, blue is the altar,
  - in the top right, study of providing ramps and lifts to provide some access to the space, which would only still provide access to a portion of the space
  - historic to the church
  - do not want to alter the area if they don't have to
  - but looking at the plan on the right, it would provide limited access, but it would be excessive cost
  - methods of alternate compliance, members of the choir can be seated at the main floor of the church, immediately adjacent to the choir
  - if someone does not come up to the front, brings communion to someone seated in the pews
- MG - proposed solution with ramp access is simply a corridor, no seating there
- all of the seats in the choir are on risers
  - no feasible way to provide for wheelchair access to that choir
  - although ramp provides access to the choir area, no benefit since not part of the seating
  - take communion to the pews is a longstanding practice of the church
- MB - one of our Board Members is a member of her choir, and a wheelchair user
- need to blend the voices together, sitting outside would not blend
  - seems technologically infeasible
- MG - would move several people to the floor, so that the wheelchair user would not be alone outside of the choir area
- MB - so if wheelchair user wants to be a member of the choir, could they be moved to the front?
- MG - if would block a lot of the front of the church, could do a split level and have the choir master conduct from the floor
- MB - would like written policy about accommodations for those that cannot access the choir space
- can split the choir to make it accessible
- MG - professional choir, so it is by audition, but will not exclude based on the lack of ability to access the choir space
- MB - understood that need to have the qualification to join the choir
- DM - would like to see the ramp installed; at least would provide access up
- could make it narrower and steeper so that it wouldn't take up as much space
- CP - depending on singing part, then need to be located at a certain space within the choir
- MS - only 12 inches of space between back of pew and the pew bench behind it

DM - would it be possible to make the space accessible and then expand the wood out to create accessible space

ASJ - that is a corridor that is used throughout the service by the clergy  
- allowing for the wheelchair in the space would change the liturgical use of that space

DM - would prefer to see it with the ramp

*MB - based on historic nature, grant the lack of access to the choir and altar, provided clear written policy on how not only are members that are qualified to be members of the choir are welcomed and accommodated, policy submitted by July 12, 2013*

*MT- second*

DM - anyone to access it via the cloister hall or the sacristy

MS - there is a door from the sacristy to the upper portion of the choir  
- in order to get to that upper part, would have to add the lift

CP - in either case, still a change of level

*- motion carries with DM opposed*

MS - AAB43, 3 steps down from Peabody Hall, small meeting room

- Peabody Hall is where coffee is served after services

- lift is only feasible option

- small room that is only used as overflow space

- as an alternate compliance, any activity held in the meeting room could be held in Peabody Hall as well

- excessive cost without benefit

DM - what is it usually used for, blackboard in the picture

MG - used as storage currently

- the room is used for very occasional meetings, sometimes women's prayer group, however they normally meet within the classroom space at the end of Peabody Hall

MS - other spaces similarly sized within the building that can be used in the same way

*DM - grant, on the condition that policy submitted about alternate meeting space being provided if a person is unable to access this meeting room due to the change in level, submitted by July 12, 2013; excessive cost without substantial benefit*

*RG - second – carries*

MS - AAB45, lack of access to platform at the end of Peabody Hall

- not used for anything on a regular basis, used only as a table occasionally

- alternate plan for compliance would be policy that space can be used in front of the platform if needed

*MB - grant, on the condition that policy submitted about the availability to hold anything that would be conducted at the platform at the main level of Peabody Hall upon request, submitted by July 12, 2013; excessive cost without benefit*

*DM - second –carries*

- MS
- winder stairs to the mezzanine and the lack of access to the mezzanine
  - the lift would be an excessive cost without substantial benefit
  - nearly identical sized space below the mezzanine that is accessible and can be used in the alternative
  - not readily used

MB - labeled as mezzanine office, what does that mean?

MG - space has morphed, was originally a balcony when the school came in, it was converted to a library

- music group uses the space to store their music
- not used by the church
- just storage space at this time

DM - no library there anymore?

MG - no

*MB - based on the testimony that not used, grant the variance to the lack of access to the mezzanine and the winder stairs*

*GL - second – carries*

*DM - not used for anything not available at the accessible level*

- MS
- AAB46, door colored in red is primarily used as an exit
  - AAB47, door colored red, with number 9 under it, used primarily as an exit
  - AAB50, door marked 10 and 11 in red, are primarily used as exits
  - all 4 doors are locked, some have stairs and some are not wide enough

WW

- there are other accessible egress within the building
- any required areas of rescue assistance

MS - there are several other accessible entrances/exits

RC

- AAB35 gives a good summary of the door locations
- back side there are two ways out
- main church, can go out front door or out the parish house
- will be fully sprinklered

GL - proper exit signs at the accessible egress doors

MS - new exit signs will be provided at all doors

MB - Door 11, AAB50  
- door is “primarily” exit only

CP - comes out of the fire stair, and directly adjacent to the new entrance

DM - AAB50, picture shows someone in the building  
MS - that is one of the staff, and the door does not have exterior hardware

*MB - grant the variance for the four doors in question*

*GL - second – carries*

MB - there is benefit to get to the gym  
- if you can’t do it today, maybe amend to time variance

*MB - deny the variance for the lack of access to the gym, compliant by end of project, or submit amended variance for time to create access to the gym, would need variance for use of a lift*

*DM - second – carries*

27) Hearing: Oliveira’s Restaurant, 749 Broadway, Everett (V13-091)

WW - call the hearing to order at 1:00 p.m.  
- introduce the Board

Christian Klein, Architect (CK)

Wilton Rangel, Owner (WR)

Fabianna Campos, Architect (FC)

WW - CK and WR sworn in

CK - purchased in 2011, 3 triple-deckers  
- all first floors is the restaurant, each entrance serves two apartments at the upper levels in the upper levels  
- 2012 sought to relocate a stairwell from interior to exterior  
- doorway requested to be widened into the restaurant and sprinkler system required to be upgraded  
- question about two accessible means of egress  
- ramp would extend onto the sidewalk at the front of the building to access the rear entrance  
- agreed to provide an area of refuge at the exterior rear stairwell  
- at the time of the proposed work  
- owned a unit within the building and meant to renovate his unit, did a full evaluation of the building (AAB6-8)  
- exterior ramp distance between handrails is too tight  
- stair risers are not equal tread and width



- height of tray slide is at 36" not 34"
- men's room urinal is 5 ¾ inches too high
- two accessible restrooms part of the build out, seeking to maintain third inaccessible toilet room
- 3 exit points, at one, not enough space between the vestibule doors
- staircase along Broadway, stairs vary in height, about 3 feet above grade
- the distance between the handrails is 42-44 ½ inches
- in order to widen the ramp, will encroach onto the City sidewalk
- would need to widen landings as well, no cost estimates as of yet, since have not gotten them back from the contractor
- would also lose parking in this area

RG - the slope of the ramp  
 CK - 1:12, with level 5 foot landing at midpoint

DM - width  
 CK - 44 ½" at the top and 42" at the bottom

*DM - grant the width between the handrails at the ramp, based on exc. cost without substantial benefit*

*MT - second – carries*

CK - bottom step is poured, steps above are poured, not level landing at the bottom  
 - to comply would have to add an additional tread which would push the stairway out further into the lot  
 - slope at the bottom of the steps

WW - also a 780 CMR

MB - issue with coming down the stairs to a ramp at the bottom

*MB - deny*

*MT - second – carries*

CK - food service line  
 - height is 36 inches for the food service line, and requirement is 34  
 - heating and cooling equipment tied into the service line  
 - service staff is available to assist

*MB - grant, based on exc. cost without substantial benefit to persons with disabilities*

*RG - second – carries*

CK - urinal height is 5 ¾" higher than required  
 - AAB9, shows the restroom

*DM - grant*

*MB - second – carries with MT and GL opposed*

- CK - AAB9, small unisex toilet room, which is remote from the existing accessible men's and women's rooms  
- given the occupancy and the size of the building, the restroom is not required

*MB - grant, on the condition that signage posted directing people to the accessible toilet room*

*DM - second – carries*

- CK - Egress#3, AAB9  
- currently 4 means of egress to the first floor of the building  
- only 34" between the edge of the door and the next door in the vestibule, leads out to a fire escape

*MB - grant, on the condition that exit signage is compliant to show the accessible means of egress*

*MT - second – carries*

28) Incoming: Felter's Mill, 22 West St., Millbury (V13-193)

- TH - EXHIBIT – variance application  
- short time variance, 60 days to complete the elevator install  
- since just received, not scheduled to be heard until July 15<sup>th</sup>  
- contacted the elevator company verifying that the elevator is being installed at the property  
- pictures show the elevator in boxes at the lobby  
- permit and copy of the check for the deposit submitted by the elevator company

*DM - waive the two week wait period*

*GL - second - carries*

*DM - grant time variance to September 15, 2013 for verification of compliance*

*GL - second – carries*

- TH - based on application, spending \$500,000.00, valued at \$400,000.00  
- noticed in photographs that handrails on the stairs do not comply  
- will meet with the Petitioners about possible further variances

29) Incoming Discussion: Whitney Center for the Arts, 42 Wendell Ave., Pittsfield (V13-131)

- TH - previously issued Cease and Desist order for the property, but then lifted it based on testimony of owner that first floor complies  
- received letter from June Hailer in opposition to the orders of the Board  
- email from June Hailer stating that she went to the center and found that new door and compliant hardware at the top of the ramp  
- she will meet with the owners to review the building, would like to send Mark Dempsey, Compliance Officer, to attend this meeting as well

*DM* - have Mark Dempsey attend site visit

*MB* - second - carries

30) Incoming: Village Park Apartments, 497 East Pleasant St., Amherst (V13-181)

TH - EXHIBIT – variance application

- 28 buildings

- constructed in 1972

- spending over 30%

- all units are for rent

- proposing to create Group2, 1 BR units, 2BR units and 3BR units

- all accessible 1 BR units will be flats

- the 2 and 3 BR will be townhouse style, they are adding build-out of one unit at the first floor

MB - family unit where the family can't interact at the upper levels

- would rather all the units in the flats

*MB* - deny

*DM* - second – carries

31) Incoming: Curb Cut at the SW corner of Wigwam Ave. and Lake Ave., Worcester (V13-170)

TH - EXHIBIT – variance application

- one of the curb cut slopes at the wing is 11.3%

*DM* - grant 21.3

*MB* - second – carries

32) Incoming: Carlton Willard Auditorium, 100 Old Billerica Road, Bedford (V13-169)

TH - EXHIBIT – variance application

- renovation of the stage

- seeking to use portable lift

- auditorium at the residence room

*DM* - more information

*MT* - second - carries

33) Incoming: Sidewalk Width at Pearl and Decatur St., Cambridge (V13-168)

TH - EXHIBIT – variance application

- seeking variance for the width of the sidewalk at a tree, propose to cross to opposite sidewalk

- width is 33” at Location 1, width of 28” at Location 2, within feet of each other

- plan for crossing to opposite side of the street with signage

*DM - grant as proposed*

*GL - second – carries*

**- MB not present -**

34) Hearing: Stockbridge Road and Old Driftway, Scituate (C10-077)

WW - called to order at 2:10

- introduce the Board

Andrew Forman, BCIL (AF)

Jeffrey Dougan, Scituate COD (JD)

Allan Motenko, MOD (AM)

Alexandra Johansen, BCIL (AJ)

Eileen Feldman, Community Access Project, Somerville (EF)

Hang Lee, Boston Multicultural Independent Living Center (HL)

Andre Martecchini, Kleinfelder (AMar)

Marie Trottier, MBTA (MT)

Diane Rubin, Prince Lobel (DR)

Andrew Baldwin, Prince Lobel (AB)

Bill Shine, Independence Associates (BS)

Marilyn McNab (MM)

Thomas Hopkins, Director of AAB (TH)

John Winske, DPC (JW)

Mark Dempsey, Compliance Officer for the Board (MD)

John Kelly (JK)

WW - EXHIBIT 1 – AAB1-199

- AJ, MM, AF, JD, MT, DR, AB, JW, EF, CH, BS, sworn in

KS - April 25, 2013 at 3 p.m.

WW - have MBTA

DR - STV engineers are not present, due to scheduled vacation

WW - no one else could have been sent?

DR - could have, but he is the main engineer for the project

- did advise the Board that he would not be here

DR - site visit was helpful

- intersection is a unique configuration with all of the roads leading up to the top of the elevated bridge

- has been suggested that a cross walk would be appropriate, but is the MBTA position that this would

not be a good location for a cross walk or curb cuts

- the bridge joint would be a tripping hazard
  - STV designed the intersection so that there would be a safe cross walk 250 feet down the road at a level area
  - AAB26 Photo 33 & 34
  - heel of foot in the bridge joint
  - condition that the T believes is unsafe for all travels
  - bridge joint will widen in the winter months
  - 250 foot walk down to the entrance at the rail station is the better place for people to cross
- MT
- in the two times that have been to the site
  - only place that felt safe to cross was at the commuter rail entrance location
  - it is a safe and compliant design
- DR
- AAB30, supplemental memorandum from MBTA
  - MBTA states why the safety is a factor
  - statute states that the regulations are for safety, and regulations states “safe for use” in the intent language
  - safe passage provided with the current location of the curb cuts
  - ask that the complaint be dismissed, based on the fact that this is the safest access path provided
- WW
- 2010 complaint
  - safety is part of the statute, but the regulations say that there should be curb cuts at crossing in certain location
  - determination of location may be a situation of a variance, since opinion of petitioners is the location of the curb cuts at this point
- DR
- preferred protocol, MBTAs concern is that they believe that they did everything that they could to create a safe crossing
  - cannot be noncompliance by the T if they have done everything that they can to design in the safest layout
  - how can the Board make the determination if no other engineer has been to the site
- TH
- examples of bridge joints at crossing, submit pictures
  - as a person with a disability, have commonly traversed over these joints
  - there are times when the joints are not filled correctly with the rubber filling, but they are common joints
  - two missing curb cuts in a cross walk
  - not impossible to saw cut the curb cuts into the cross walk
  - the T is asking to dismiss the case based on safety
- WW
- EXHIBIT 2 – pictures submitted by TH
- JD
- this intersection was created when the bridge was designed
  - the crossing is fairly level

- at those stop lines, you can see the other two stop signs
- working with the police because people are rolling thru the stop signs
- not that different than railroad crossing, railroad crossing cannot have more than 2" to cross
- quoting chapter 22 13A, but intersection of safe, usable and functional for people with disabilities
- stand behind complaint

AF - Senior Disability Advocate for BCIL  
 - support what TH and JD said  
 - definition not safety issue, it is an independence issue

AJ - moved to Quincy, lives next to Wollaston, look forward to visiting a lot of the community  
 - great hope to rely on the T for safe, accessible and easy to use access

EF - support Scituate Commission  
 - equal opportunity danger for able bodied and disabled

MM - have seen creative ideas from the T  
 - travel thru the City, and some of the joints are too big, but they are filled  
 - support JD and TH statements

BS - support the commission in their complaint

JW - support JD  
 - live in the City of Boston, if I did not travel where expansion joints were located then would not leave the house  
 - support the complaint and ask not to allow the dismissal of this complaint

WW - John Kelly sworn in

JK - support the complaint by Jeffrey Dougan and the Disability Commission, they know this area and know where everyone crosses  
 - go over bridge joints all the time  
 - disappointed to see that the T making decisions about safety without going to the Board first

CH - mass highway reference that spoke of raised crosswalks and intersections  
 - need to maintain facilities and therefore maintain expansion joints

DR - have heard the comments from members of the audience  
 - there is no attempt to find a loophole or some way to avoid the responsibilities  
 - objecting to the complaint about the location of the cross walk  
 - was told that this was unsafe by the engineering firm, could not in good conscience put a cross walk at a location that was not a safe crossing

DM - there were 3 engineers that were there?

DR - Tony is the one that designed this intersection, Mark is a structural engineer for the bridge

WW - engineers opinion is at question, probably should have been a variance

GL - *take the matter under advisement*

MT - *second - carries*

**- MB now present -**

35) Hearing: Stockbridge Road and Old Driftway, Scituate (C10-077) – Cont'd

WW - need to make a motion regarding Driftway

DM - *reopen*

GL - *second – carries with MB abstaining*

DM - *find in favor of the complainant, plan for compliance August 15, 2013 and completion by October 31, 2013; or variance application within 30 days receipt of this decision*

GL - *second – carries with carries with MB abstaining*

DM - *expedite*

GL - *second – carries with MB abstaining*

**- No More DM –**

36) Hearing: Waverly Commuter Rail Station, 525 Trapelo Rd., Belmont (V13-076 and C12-033)

WW - called to order at 3 p.m.

- introduce the Board

Andrew Baldwin, Prince Lobel Tye, LLP (AB)

Diane Rubin, Prince Lobel Tye, LLP (DR)

Marie Trottier, MBTA (MT)

Jeff Dougan, Asst. Director of MOD (JD)

Andre Martecchini, Kleinfelder (AM)

Mark Dempsey, AAB (MD)

Thomas Hopkins, AAB (TH)

Andrew Forman, BCIL (AF)

Allan Motenko, MOD (AM)

Bill Shine, Independence Associates (BS)

Hang Lee, Boston Multicultural Independent Living Center (HL)

Eileen Feldman, Community Access Project Somerville (EF)

Alexandra Johansen, BCIL (AJ)

Marilyn MacNab (MM)

John Winske, DPC (JW)

Don Summerfield (DS)

Thomas Gilbert (TG)

Bill Henning, BCIL (BH)

John Kelly (JK)

Chris Hart, DLC (CH)

WW - all sworn in  
- EXHIBIT 1 AAB1-72

MD - variance hearing, find in favor of the Complainant at the 2/11/13 complaint hearing

DR - not technologically feasible to install elevators at the Waverly Station  
- also requesting a variance based on excessive cost without substantial benefit based on alternate means of accessing the station

AM - Kleinfelder, project engineer  
- professional structural engineer, licensed in MA, 33 years experience with  
- firm retained by the MBTA to do repairs at the platform level, which was uneven and broken  
- the stairs had a lot of concrete falling off  
- was asked to do additional work to provide an opinion on the feasibility of making the station accessible  
- did some site walks and requested information to determine site  
- only was asked the opinion of their firm  
- small station, located in a congested part of downtown Belmont  
- Lexington and Trapelo Road are busy roads that surround the station, which is sunken  
- access is via a stairway 21 feet down to the station  
- there is a metered parking area owned by the town of Belmont  
- designed for the local business areas, not a commuter parking facility, no commuter parking provided  
- two tracks, one into Boston, one out towards Waltham  
- two options, one is a series of elevators, one is a series of ramps  
- feasibility sketch  
- would require two elevators, one at either side, minimum; would prefer two at each side  
- minimum size elevator is 10' by 10'  
- mechanical room is the same size  
- platforms are 12' wide  
- did not do a survey of the station, based on general measurements  
- need minimum of 10 feet before tracks  
- that requires 20 feet, which is beyond the existing retaining walls  
- problem with that, current property lines, the way that they are currently understood (not surveyed), would required to do a property taking due to the lack of property  
- same situation at the other side of the track



- other option is a ramp system
- this would result in the need to ramp for 21'
- maximum slope is 1:12, with maximum of 30 feet, with a 5' minimum level landing
- therefore switchback ramp
- Lexington Street bridge has large girders below it
- would have to reconfigure the platform due to the lack of sufficient head room
- nothing has been field surveyed, but pretty close
- there is also a jog out to avoid the existing stairway
- the ramps would need to be covered
- ramps are not technically feasible, 12' +/-
- minimum width is 12', each ramp propose to provide 60" so that two ramps can pass, 7 inches between the two ramp structures, so therefore 5 feet, 4" handrails plus 7", equals 12 feet, which is the current depth of the platform
- that is if it is located directly next to the wall, since would not recommending tying it to the wall, since the wall is 100 years old
- now the ramp structure would be directly adjacent to the edge of the platform, which would be a hazard
- the minimum depth of fixed obstruction from MBTA is 7 1/2 feet from the edge of the platform

TH - does this include raising the platform?

AM - no, but would still have to get down to the platform

AM - mini-high platform was looked at, but not incorporated

- \$3.4 million for the installation of the elevators, and did not include property takings and other structural work; only for 2, not the recommended 4

- \$1.3 million for the installation of the ramp, not including land takings

- mini-high proposal would not be feasible from the location at the platform

TH - look at LULA straight to a mini-high

AM - did not look at LULA since it would not be feasible for this type of installation

DR - have not been surveyed, but there is an affidavit from Mark Boyle, AAB32

WW - mini-high?

AM - ramp down to the mini-high or stair would be too close to the track for people to use

- 6' 3 1/2" location is within the minimum requirements for clearance between train and fixed structure

- elevator would be same issue, plus the lack of land available

- technically not feasible to do within the current property

AB - even as designed would the ramp system fit within the property?

AM - no it does not

- may have to encroach further

WW - cost estimate is without mini-highs?

- AM - yes, and without land taking and without MBTA soft costs for designs
- DR - ridership from Waverly Station
- MT - bus routes also through Waverly Station, there is an express bus into Boston at certain times  
- also buses into the red line  
- Waverly Stations, Waltham Station and then Belmont  
- Waltham Station is the closest to Waverly, which has parking and is accessible station  
- between 2 and 3 miles from the Waverly Station  
- 9 out of 13 trains a day bypass Waverly Station  
- most if not all stop at Waltham  
- Waverly has 33 people a day  
- Waltham is 425 people a day
- DR - other options to access the system from with the Waverly Station area  
- therefore, not substantial benefit  
- alternative accessible stations and means of access within the area, therefore excessive cost without benefit
- DS - when Waverly was reconstructed, the Assistant GM was Gary Talbot; he told them that the station was required to be brought into compliance  
- the T told Talbot that they did not want to spend the money  
- seeking to deny the variance request
- TH - would like to see other alternatives in terms of other devices  
- have easements been entered at other towns, not just relative to access, but for any expansions for T property  
- mini high would fit on the platform, but vertical access down to it  
- ARRA money used, complaint was filed  
- was not brought to the Board ahead of the work
- AF - senior disability advocate  
- don't care how many people this station serves, people need access  
- strongly oppose the variance
- EF - strongly support testimony of DS  
- elevators are feasible but for the land taking of the Town of Belmont  
- any land taking pursued
- WW - no questions to the petitioners from the audience
- EF - okay  
- need the opportunity to have access to the station

- AJ - dear friend lives in Belmont  
- no way to count the people that use the station, since people know they cannot get to the station
- MM - look at this plan and see other alternatives that can be done  
- there are accessible station upgrades made at Framingham Commuter Rail  
- cannot estimate usage since people know they cannot access them  
- possible different sizing  
- buses that the MBTA some unique wheelchairs do not fit on  
- some people cannot use the alternative  
- why take a bus, when you can get on a rail to a direct access point
- JW - haven't the Waverly buses been put on the cut-off list?  
- wasn't the MBTA warned that the project that was undertaken would violate the AAB regulations  
- coming to the Board with a technological infeasibility argument without a full survey  
- if it is so insignificant to the T, then why spent \$400,000.00 to renovate a station for only 33 people
- TG - Waverly buses every 5 minutes at other stations  
- must be significant
- BH - would encourage the Board to explore the requirements for equal access  
- history that the Board has faced in the past, with federal money at stake  
- alternative means of transportation  
- today opened two new stations on Fairmount line  
- residents of those areas that they wanted equal opportunity to the rail service, since the bus service was not adequate enough
- JK - shocked that the T did not come to the Board first, before the work was done  
- if the station is so unimportant, the decision should have been to close the station or not do the work  
- cannot use the bus service because of turning radius of wheelchair, other people have trouble using crowded buses  
- would like to look at alternate options  
- the Board has granted variances in the past for modified ramps  
- don't think that the T should be rewarded for behavior that was behind us
- CH - DLC  
- 2008-2009, requests for ARRA funding  
- Waverly was scratched off of the list because there was no funding to address access  
- when the station was put back on the list, but were told that this project could not be undertaken without undertaking access  
- they did install detectable warnings  
- platform is much wider than 12 feet, more like 20 feet (picture submitted of platform)  
- at Quincy Center, they installed an accessible platform below the existing station, and had to do land taking  
- Park Street station elevators were put in and Downtown Crossing elevator work is in the future

- it is not technically infeasible or an excessive cost without substantial benefit
- Director of the T is proposing full access by 2021
- Waverly Bus Stop is inaccessible with no curb ramps (photo taken by John Winske)
- if the T and private counsel believe that they want to do the right thing need to go back to figure out access

MM

- there is a very long drop of an elevator at Porter Square
- there were negotiations between city and towns for that case
- should approach the Town to see if the land takings would be allowed

DS

- wrote a letter of thanks for the Park Street elevator
- against what is happening here

RG

- Belmont resident
- went to the station last Thursday, platform is trapezoidal shape
- two commuter rail stations in Belmont, Waverly and Belmont Center, both are completely inaccessible
- Waverly is below grade, Belmont Center is above grade
- in the hour that he was there, 28 people disembarked the trains (one inbound, one outbound)
- small grassy area at one side of the station, which could be taken from the Town of Belmont, or requested

- elevators could be made to blend in
- a lot more can be done here and it is important
- bus stop is on a bad sidewalk with no curb ramp at either end, can't get on the bus in Waverly, if you get off, then you are stuck

MB

- has the T reached out to the Town of Belmont to discuss the land taking?

DR

- unsure
- bit of concern since this would infringe on the Town of Belmont parking
- not aware of any conversations with the Town of Belmont

MB

- did you look into an elevator with two doors, straight on and off?

AM

- no, not in this design

MB

- when the work done at the platform, look at raising the platform

AM

- no, since the issue with freight traffic; and there was no funding to raise the platform

MB

- still argue lack of substantial benefit?

DR

- looking at the system of the whole (will have to look at the lack of access to the bus station), and with the alternate location at Waltham, then not a substantial benefit, more of an individualized situation

MB

- if no substantial benefit then why is the station still open

DR

- the MBTA is looking at that
- Belmont would probably not want the station closed
- testimony from RG was that 28 people came to the station in one hour

RG - *take the matter under advisement*

GL - *second –*

WW - no construction drawings, would the T like to examine further options

DR - took a good look at this station and they do not believe that this is technologically infeasible

- doesn't seem to be a good use of funds to explore options that may not be feasible

- cannot take land, and do not think that the Board can order that the T take land

WW - would not order land taking, would require compliance with the requirements of the Boards regulations

- would the T want to revise the proposed plan, or stick with the current argument that there is nothing further that can be done

DR - believe that not technologically infeasible

MB - AM did not look at other option, looked at certain options, other options that can be pursued

AM - possibly

WW - *motion to take it under advisement*

- *motion carries to take it under advisement*

37) Hearing: Waverly Commuter Rail Station, 525 Trapelo Rd., Belmont (V13-076 and C12-033) – Cont'd

MB - *reopen*

RG - *second – carries*

MB - *based on the testimony, appears that there is substantial benefit, it appears that there is a discrepancy in the number of passengers that use the station, since RG saw 28 in one hour, when T says only 33 per day; spent a good deal of money on upgrades to the station; did not do a full analysis of possibilities; all options were limited and worst case scenario; did not look at all methods of access into the station; not proven that technologically infeasible since they did not explore further options; based on the testimony in the room, there is substantial benefit; therefore, motion to deny all of the variances requested and require compliance by January 1, 2015*

GL - *second - carries*

**- No More GL –**

38) Incoming Discussion: First Dental, 366 Salem St., Medford (V13-162)

TH - EXHIBIT – new pictures and submittals

- previously allowed temporary CO

- putting a lift at the back of the building, putting signage at the front

- new plan of dental office, propose to complete the installation of the lift by the end of July

- in the meantime, the Somerville Office is accessible

MB - need to move the sign on the door to make the signage for the toilet room comply  
- need to move plant in bathroom  
- and flush valve  
- no clearances at the rear door, and there is a door knob at Somerville

TH - seeking time variance for the Medford office, for the change in level at the Medford office

*MB - grant the variance for the lack of compliant interior change in level, on the condition that the lift is installed, inspected and operational by August 15, 2013; signage and policy in place (TH policy in the file)*

*MT - second – carries*

39) Incoming: Bright Stars Preschool, 240 Washington St., North Easton (V13-179)

TH - EXHIBIT – variance application  
- project is complete  
- work performed  
- did some septic work, and modified the front porch, seeking 5 year time variance to build a ramp

*MB - Grant a time variance to November 1, 2014 for the accessible entrance to be provided*

*RG - second – carries with MT abstaining*

40) Discussion: Whitfield Mangerio Friendship Society, 11 Cherry St., Fairhaven (V09-025)

TH - decision from 1/7/13 hearing, ordered compliance by 7/1/13  
- seeking 1-2 months additional time to complete the work  
- railings on the ramp

*MB - grant extension to August 15, 2013, for everything completed, or the building will be closed*

*MT - second - carries*

41) Discussion: All Newton Music School, 321 Chestnut St., Newton (V11-138)

TH - EXHIBIT – new letter  
- voted to accept what the Petitioner asked for at their last submittal  
- granted extension for LULA to August 30, 2013, allowed to 2/1/14 for items 4-14  
- want to flip the dates for compliance to have items 4-14 done by August 30, 2013

*MB - allow switching of items*

*MT - second – carries with vote of the Board, RG not present*

42) Incoming Discussion: Winter Street Bridge, Framingham (V13-029)

TH - originally submitted design for a handrail which the Board accepted

- but architect wrote back stating that MassDOT would not accept the submittal and proposed new rails
- new rails were denied
- received email to ask if decision ever rendered, but copy of green card, showing that he signed the receipt

*MB - accept the plans submitted and install for the completion of the bridge work*

*MT - second – carries with vote of the Board, RG not present*

43) Incoming: Technology Children's Center at Vassar and MIT, 219 Vassar Street, Cambridge (V13-176)

TH - EXHIBIT – variance application

- new construction of childcare center
- propose future seating location

*MB - deny the proposed seating location, since it is not shoulder to shoulder and integrated*

*MT - second – carries with vote of the Board, RG not present*

44) Incoming: Whiteman Tennis Center, 100 Brown St., Weston (V13-184)

TH - EXHIBIT – variance application

- tennis and fitness facility
- one story with mezzanine
- required a lift when they renovated
- proposing to spend \$500,000 to renovate the existing locker rooms, seeking variances to not make the locker rooms accessible

*MB - hearing*

*MT - second – carries*

45) Discussion: Minutes and Decisions from 6/17/13

*MB - accept the minutes and decisions*

*MT - second – carries*

46) Incoming Discussion: Lawrence Hall, 99-4 Brattle St., Cambridge (V13-149)

TH - when last reviewed, asked to do a 3 year prior review of spending, and then the only plan for the future is the second floor bathrooms

- they are seeking a time variance to the summer of 2014, various bathroom work going on this summer for common area bathrooms and showers
- seeking time variance for the second floor bathrooms

*MB - grant as proposed*

*RG - second – carries*

47) Discussion: Founders Hall and Stebbins Hall, 21-31 Everett St., Cambridge (V12-062)

TH - EXHIBIT – recent letter from Petitioners

- Board granted a variance for the lack of access with Stebbins Hall to comply by 2014

- required progress reports
- on Tuesday June 18, 2013, KS Emailed Kevin Murphy, regarding 27.2 and 27.4 and lack of compliant handrails and door hardware
- on January 29, 2013 submitted affidavit regarding employee only spaces, therefore cannot enforce the stair handrails and the door hardware

*MB - since the affidavit was accepted, therefore no further work is required based on 521 CMR applicable requirements (specifically those cited in the previous decision)*

*MT - second – carries*

48) Discussion: 896 Beacon Street, Boston, V13-028

TH - sent pictures of the bathroom and a policy

*MT - have MD do a site visit*

*MB - second - carries*

- End of Meeting -